

Attorney Docket No. 100405-6205

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Sigal, et al.
Serial No: Unassigned
Filed: June 29, 2001
For: **Methods And Apparatus For Improved
Luminescence Assays Using Microparticles**
Group Art Unit: Unassigned
Examiner: Unassigned

919 Third Avenue
New York, New York 10022

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to the calculation of the fees due and the issuance of a first Office Action in this application, please amend the application by deleting original claims 2-77 and amending the section entitled "CROSS-REFERENCE TO RELATED APPLICATION" as indicated below.

**Express Mail Label No.: EL54900754US
Date Of Deposit: June 29, 2001**

IN THE SPECIFICATION

Pursuant to 37 C.F.R. § 1.121(b)(2), Applicants hereby submit a clean version of the section entitled “CROSS-REFERENCE TO RELATED APPLICATION” as amended. A separate marked up version of this section under 37 C.F.R. § 1.121(b)(2)(iii) is also submitted herewith.

Please amend the application by deleting the section entitled “CROSS-REFERENCE TO RELATED APPLICATION” on page 1, lines 7-12 and replace such deleted section with the following:

CROSS-REFERENCE TO RELATED APPLICATION

This application is a continuation of U.S. Application Serial No. 08/988,137, filed December 23, 1997, which is a continuation-in-part of U.S. Application Serial No. 08/954,355, filed October 20, 1997, which is a continuation of U.S. Application Serial No. 08/437,348, filed May 9, 1995 (now U.S. Patent No. 5,679,519), all of which are incorporated herein by reference.

IN THE CLAIMS

Please cancel claims 2-77.

Pursuant to 37 C.F.R. § 1.121(c)(3), Applicants hereby submit a clean version of the pending claim in this application for the Examiner’s convenience:

1. A microparticle comprised of an electrically conductive material having (a) one or more copies of an assay-ligand immobilized on its surface and (b) a plurality of chemiluminescent moieties immobilized on its surface.

No additional fee is believed due. If there are any such charges, the Examiner is authorized to charge them to Deposit Account No. 50-0540.

No new matter has been added.

By:



Barry Evans, Esq.
Reg. No. 22,802
Albert B. Chen
Reg. No. 41,667
Kramer Levin Naftalis & Frankel LLP
919 Third Avenue
New York, NY 10022
(212) 715-9100

Attorney Docket No. 100405-6205

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Sigal, et al.

Serial No: Unassigned

Filed: June 29, 2001

For: **Methods And Apparatus For Improved
Luminescence Assays Using Microparticles**

Group Art Unit: Unassigned

Examiner: Unassigned

919 Third Avenue
New York, New York 10022

**37 C.F.R. § 1.121(b)(2)(iii)
MARKED UP VERSION
OF REPLACEMENT SECTION SUBMITTED IN
PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.121(b)(2), Applicants hereby submit a marked up version of the section entitled "CROSS-REFERENCE TO RELATED APPLICATION" as amended to show the changes made relative to the previous version of that section.

**Express Mail Label No.: EL549007541US
Date Of Deposit: June 29, 2001**
KL3:2118500.1

IN THE SPECIFICATION

CROSS-REFERENCE TO RELATED APPLICATION

This application is a continuation of U.S. Application Serial No. 08/988,137, filed December 23, 1997, which is a continuation-in-part of U.S. Application Serial No. 08/954,355 [(Attorney Docket No. 370068-9045)], filed October 20, 1997, [incorporated herein by reference], which is a continuation of U.S. Application Serial No. 08/437,348 [(Attorney Docket No. 370068-9040)], filed May 9, 1995 (now U.S. Patent No. 5,679,519), all of which are incorporated herein by reference.

By:



Barry Evans, Esq.
Reg. No. 22,802
Albert B. Chen
Reg. No. 41,667
Kramer Levin Naftalis & Frankel LLP
919 Third Avenue
New York, NY 10022
(212) 715-9100